

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**CIVIL CONFERENCE
MINUTE ORDER**

BEFORE: A. KATHLEEN TOMLINSON
U.S. MAGISTRATE JUDGE

DATE: 8/26/11
TIME: 2:00 PM

Gonzalez, et al. v. Nicholas Zito Racing Stable, Inc., et al., CV 04-22 (SLT) (AKT)

TYPE OF CONFERENCE: **TELEPHONE CONFERENCE**

APPEARANCES: Plaintiff Delvis Melendez
Lloyd Ambinder
Defendant Leo F. McGinity

THE FOLLOWING RULINGS WERE MADE:

1. Since our last conference, the parties have filed a Consent to jurisdiction by a United States Magistrate Judge. Since this has occurred in just the last few days, I told the parties to give Judge Townes some time to review and process the Consent. If nothing has happened by the end of next week, I advised counsel that I will contact Judge Townes. I will also request that the courtesy copies of the pending summary judgment motion provided to Judge Townes' Chambers be forwarded here. Once I have reviewed the papers, if I believe that oral argument is needed, I will contact counsel.
2. Plaintiffs' counsel advised today that, after speaking with defendants' counsel, the plaintiffs will agree to a jury trial rather than a bench trial.

SO ORDERED

/s/ A. Kathleen Tomlinson
A. KATHLEEN TOMLINSON
U.S. Magistrate Judge